

# Butzel Long

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS

SITE: ITT Thompson FC  
BREAK: 11.9  
OTHER: conf

JACK D. SHUMATE

DIRECT DIAL (248) 258-1405  
INTERNET shumate@butzel.com

BIRMINGHAM OFFICE  
SUITE 200 32270 TELEGRAPH ROAD  
BIRMINGHAM, MICHIGAN 48025-2457  
(248) 258-1616 fax (248) 258-1439

February 18, 1999

Elisabet M. Ellis, Assistant Regional Counsel  
Environmental Accountability Division  
U.S. Environmental Protection Agency - Region 4  
61 Forsyth Street  
Atlanta, GA 30303

Re: ITT Thompson Industries Superfund site  
Madison, Madison County, Florida  
Section 104(e) Request for Information  
Response of McKechnie Vehicle Components (USA), Inc.

Dear Ms. Ellis:

Attached is our letter providing a response, on behalf of our client, McKechnie Vehicle Components (USA), Inc., to the Agency's 104(e) Request for Information concerning the Madison Superfund site. Upon examining the enclosed information, you will note that very little of it relates to the activities of Trim-Tech/Thompson Industries, Inc., predecessor to MVC. This is true because the operations conducted at the site by Thompson were very different from those conducted in earlier years by ITT, involving a much simpler and more limited series of products and processes. Our investigation revealed, however, that Thompson had acquired certain ITT files at the time it purchased the assets of the ITT Thompson Metals Division and that these documents had been acquired by MVC when it acquired Thompson. While these documents may not be strictly responsive to your information request, we have reviewed them and are producing any which might be of interest to you.

I apologize for the volume of material included as attachments to our client's response. We felt that it was preferable to take an inclusive approach and let the Agency decide what was really of interest.

As you can see from the enclosed information, Thompson did not conduct significant polluting activities at the Madison site. There is evidence, however, that there was significant potential for contamination during the period of operations of predecessors at the site. We conclude that, since Thompson acquired the business by asset purchase from ITT, Thompson - and, therefore, MVC, as successor to Thompson - is not liable for contamination resulting from the operations of its predecessor(s).



10448058

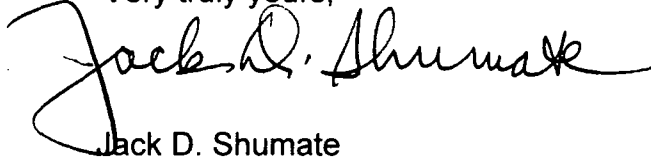
McKechnie Vehicle Components (USA), Inc.  
February 18, 1999  
Page 2

This conclusion is based upon the facts that (i) Thompson acquired the business by asset purchase; (ii) Thompson management was an entirely different group of individuals from ITT's management; and (iii) the business conducted at the site by Thompson was markedly different from that conducted by its predecessor, both with respect to products and processes.

If I may be of further assistance, please do not hesitate to call upon me.

Let me thank you for your cooperation and understanding in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jack D. Shumate". The signature is fluid and cursive, with a large initial "J" and "S".

Jack D. Shumate

JDS/rae

# Butzel Long

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS

JACK D. SHUMATE

DIRECT DIAL (248) 258-1405  
INTERNET shumate@butzel.com

BIRMINGHAM OFFICE  
SUITE 200 32270 TELEGRAPH ROAD  
BIRMINGHAM, MICHIGAN 48025-2457  
(248) 258-1616 fax (248) 258-1439

February 18, 1999

Elisabet M. Ellis, Assistant Regional Counsel  
Environmental Accountability Division  
U.S. Environmental Protection Agency - Region 4  
61 Forsyth Street  
Atlanta, GA 30303

Re: ITT Thompson Industries Superfund site  
Madison, Madison County, Florida  
Section 104(e) Request for Information  
Response of McKechnie Vehicle Components (USA), Inc.

Dear Ms. Ellis:

Butzel Long, as counsel for McKechnie Vehicle Components (USA), Inc., ("MVC") submits the following information and the attached documents in response to the Agency's Request for Information, received October 27, 1998.

We believe that, due to the particular circumstances involving MVC with respect to this site, the following introductory statement will be of value in understanding our answers to the particular questions in your Section 104(e) request.

## Introductory Explanation

The Madison plant was operated for many years by several different companies. We believe that manufacturing at this location dates back at least to the 1950's. We also believe that this plant manufactured automobile parts from some time in the 1950's to 1991.

At some time prior to 1973, ITT Corporation acquired the business which included a lease of the Madison plant and ownership of the operations conducted at that plant. The business thereafter was operated under the name of ITT-Thompson (in effect, the Thompson Division of ITT.) Our investigation has revealed that during the time that ITT operated the business, there were numerous changes in the business, including changes in products, processes, and chemicals employed and/or generated by those processes.

In early 1989, seven investors organized a new company, Trim-Tech/Thompson International, Inc., a Delaware corporation, to acquire the assets of what was officially known at that time as the ITT Thompson Metals Division. The purchase was effected March 29, 1989 by an Agreement for the Purchase and Sale of Certain Operating Assets of ITT Thompson Metals Division. This agreement was concluded between ITT Corporation, as seller, and Trim-Tech/Thompson International, Inc., as purchaser. One of the assets acquired by Trim-Tech/Thompson International, Inc. ("Thompson") was the lease on the Madison plant.

Thompson occupied the Madison plant and conducted certain operations (more fully described below) at that location until the lease expired on December 31, 1990. At that time, operations ceased at the site and Thompson vacated the Madison plant in early 1991.

Between 1989 and 1991, a great deal of equipment was shipped from the Madison plant to facilities in Holly Springs, Mississippi and Newberry, South Carolina. During that period, at least certain of the corporate offices were maintained in Valdosta, Georgia.

When the Madison plant was vacated, existing files and records which were not destroyed were moved to some other location(s). We are not certain what records may have gone to Holly Springs, which may have gone to Newberry, and which to Valdosta.

At some point prior to 1996, Thompson became a wholly owned subsidiary of DLO Investments, Inc. In 1996, all of the stock of DLO was sold and the company's name was changed to MVC.

Upon receipt of the 104(e) request from the Agency, our client made a thorough search for any records relating to the Madison plant. After a lengthy search, MVC assembled 23 boxes of documents. Ms. Denise Shaw, a Legal Assistant for Butzel Long, spent 3 days reviewing those 23 boxes of documents to identify those which might be relevant in any way to the Agency's information request. As a result of that initial review, 3 boxes of copies of MVC file documents were forwarded to the Birmingham, Michigan, offices of Butzel Long where Ms. Shaw and Jack Shumate, an attorney at Butzel Long and environmental counsel for MVC, undertook a more detailed review.

A substantial portion of the documents which have been found were obviously those left at the facility by ITT upon its sale of the assets of the Thompson Metals Division and related to conditions and events prior to the March, 1989, asset purchase by Thompson. Since we interpret the 104(e) request to seek all relevant information and documents in the possession of MVC (rather than just a request for information concerning the 1989-1991 period) we are providing that information and those documents in this request.

In an attempt to gain further information and clarify certain questions resulting from our review of the file documents, we have attempted to locate former employees who were knowledgeable about the operation. Unfortunately, thus far the only former employee whom we have been able to locate is Mr. James Rowe. Mr. Rowe has been an invaluable source of information, having served as plant manager for ITT at the Madison facility from 1973 to 1984, having been one of the investors who organized Thompson in 1989 to acquire the assets of the Thompson Metals Division and served as vice president of Thompson from 1989 until the plant was vacated in 1991. Mr. Rowe, however, was not physically located at the Madison plant after 1984 and did not have detailed information in response to some of our questions.

Other key employees left Thompson either in 1991, when the Madison plant was vacated, or subsequently. We do not presently have information concerning the whereabouts of some of these former employees and we are still attempting to contact the former Environmental Coordinator for the Madison plant.

MVC, with the assistance of its environmental counsel, have thus conducted an extensive, time-consuming investigation to obtain information concerning the Madison plant. It must be borne in mind, however, that MVC did not acquire its interest in Thompson until after the Madison plant had been vacated; thus, MVC personnel have limited knowledge of that plant or its operations and have not had the opportunity to physically inspect the property. MVC's response to the Agency's Request for Information is necessarily limited, therefore, to information obtained from documents and from interviews with one former employee.

Based upon this investigation, the following answers to the Agency's questions are submitted on behalf of MVC.

Responses to Agency Questions

1. Q: Identify the person(s) answering these questions on behalf of Respondent.

A: These answers are submitted on behalf of MVC by its environmental counsel:

Jack D. Shumate, Esq.  
Butzel Long  
32270 Telegraph Road, Suite 200  
Birmingham, MI 48025-2457  
Telephone: (248) 258-1405  
Facsimile: (248) 258-1439  
Email Address: shumate@butzel.com

2. Q: For each and every Question contained herein, identify all persons consulted in the preparation of the answer.

A: Mr. Bruce Graben  
Chief Financial Officer  
McKechnie Investments, Inc.  
2201 Regency Road, Suite 701  
Lexington, KY 40503  
Telephone: (606) 276-5821  
Facsimile: (616) 278-1186

Mr. Mark Bennett  
Division Director  
McKechnie Vehicle Components  
801 John C. Watts Drive  
Nicholasville, KY 40356  
Telephone: (606) 277-8892  
Facsimile: (606) 277-8896

McKechnie Vehicle Components (USA), Inc.  
February 18, 1999  
Page 5

Sandy Madison  
Assistant to Mr. Mark Bennett  
McKechnie Vehicle Components  
801 John C. Watts Drive  
Nicholasville, KY 40356  
Telephone: (606) 277-8891  
Facsimile: (606) 277-8896

Mr. James Rowe  
7990 A1A South, Unit 305  
St. Augustine, FL 32086  
Telephone: (904) 461-0008

Ms. Denise M. Shaw, Legal Assistant  
Butzel Long  
32270 Telegraph Road, Suite 200  
Birmingham, MI 48025-2457  
Telephone: (248) 258-1433  
Facsimile: (248) 258-1439  
Email Address: shaw@butzel.com

Jack D. Shumate, Esq.  
Butzel Long  
32270 Telegraph Road, Suite 200  
Birmingham, MI 48025-2457  
Telephone: (248) 258-1405  
Facsimile: (248) 258-1439  
Email Address: shumate@butzel.com

Gordon W. Didier, Esq.  
Butzel Long  
32270 Telegraph Road, Suite 200  
Birmingham, MI 48025-2457  
Telephone: (248) 258-1315  
Facsimile: (248) 258-1439  
Email Address: didier@butzel.com

Paul S. Lewandowski, Esq.  
Former Associate of Butzel Long  
Presently employed in the Legal Department, Owens Corning  
International, Toledo, Ohio.

3. Q: For each and every Question contained herein, identify all documents consulted, examined, or referred to in the preparation of the answer or that contain information responsive to the Question and provide true and accurate copies of all such documents.

A: As noted above, MVC conducted a company-wide search, under the direction of Messrs. Graben and Bennett and Ms. Madison, for all documents related in any way to the Madison plant. Twenty-three boxes of documents were assembled and reviewed. The vast majority of these documents were not responsive to this request, containing miscellaneous corporate records. We are not submitting copies of those records because they are simply too voluminous and would be of no value to the Agency. The records are available, however, and arrangements can be made to examine them by contacting either Ms. Madison, Ms. Shaw or the undersigned.

Of the three boxes of records which were identified for more detailed review, all that contained information which might possibly be relevant to the Agency's Request for Information are included as attachments to this response. Many of them are referenced, specifically, in answers to the following questions.

Some of those documents which were subjected to more detailed review were determined not to be relevant to this Request for Information and are not being submitted. Examples are those documents concerning the Consent Order with the State of Florida relating to the investigation and remediation of the Madison County Landfill and privileged communications between ITT and its counsel relating to that matter. Those documents, except for privileged communications with counsel, are available for review at the office of Butzel Long in Birmingham, Michigan, and arrangements to review them can be made by contacting either Ms. Shaw or the undersigned. We will not make available those documents



which constitute privileged communication between ITT and its counsel without first consulting ITT.

4. Q: Describe your client's (Thompson), operations at the Madison, Florida plant including length of time at the facility, products generated, and general production processes. Describe the relationship between Thompson and Madison Industries during that time and provide the names of the individuals acting on behalf of Madison Industries and Thompson during that time.

- A: Thompson operated the Madison plant from the date of its asset purchase from ITT, March 29, 1989, until the expiration of the lease on the plant, December 31, 1990. At that time, operations ceased and Thompson vacated the site in early 1991.

Thompson's operations at the Madison plant were limited to stamping and buffing of automobile wheel covers and attaching automobile manufacturers' emblems to the wheel covers. Production processes included stamping the wheel cover, except in those cases where a completed wheel cover was produced elsewhere and shipped to Madison for polishing only, buffing the wheel covers using an animal fat buffing compound on a cloth buffing wheel, and attaching manufacturers' emblems to wheel covers using adhesives specified by the manufacturer.

The relationship between Thompson and Madison Industries was limited to matters involving the lease of the site. Madison Industries was the property owner-lessor and Thompson was the lessee as of March 29, 1989.

The only knowledge we have concerning individuals involved in any way with the operations of Madison Industries is provided from information in the lease file. The lease is signed by Patrick Cantey as president of Madison Industries. We find in the lease file an unsigned draft lease containing a jurat for Pat Cantey, Jr. and J.B. Davis, Jr., as president and secretary, respectively, of Madison Industries, Inc. We also find correspondence concerning the lease to Mr. Pat Cantey at Cantey Motor Co., 211 W. Base Street, Madison, Florida 32340.

Finally, we find in the file a letter concerning the lease of the property signed by Mr. David A. Bisset, manager, manufacturing engineering, ITT Thompson Industries Division, P.O. Box 928, Valdosta, Georgia 31601.

5. Q: Describe why and how Thompson no longer operated at the Madison, Florida plant and ITT became the sole operator. Include a description of personnel changes or processing changes that might have occurred as a result.

A: This question seems to imply that ITT became the operator of the Madison plant after Thompson ceased operations at the site. This is incorrect. As noted above, ITT operated the facility from some time prior to 1973 until March 29, 1989. At that time, Thompson acquired the business as a result of an asset purchase from ITT and operated the plant until early 1991.

Thompson ceased to operate the plant because the lease had expired and it was deemed more efficient to consolidate operations at other facilities than to renew the Madison lease. There had been significant changes in the business over the course of the operating life of the Madison plant. The changes impacted the usefulness of the Madison facility.

Originally, the Madison plant had produced a number of items of trim for automobiles, including side moldings, grills, auto wheels, and wheel covers and ornamentation. This information was supplied by James Rowe in one or more telephone interviews with Paul Lewandowski in the fall of 1998 and confirmed in a telephone interview with Jack Shumate on February 5, 1999. Mr. Rowe further indicated that manufacture of this variety of products had necessitated use of a number of different processes, including metal stamping, machining, cleaning, degreasing (at one time using chlorinated solvent degreasers), chrome plating, painting, and buffing.

Mr. Rowe said that through the years, a number of these operations were either shut down at the Madison plant or moved to other facilities; thus, the use of trichloroethylene (TCE) had been phased out prior to the time that Mr. Rowe became plant manager in 1973. The TCE for degreasing

purposes was replaced by a non-chlorinated solvent supplied by the Houghton Company, but Mr. Rowe did not recall exactly what it was.

The chrome plating operation was discontinued in 1974 and the painting operation was discontinued at this site in late 1988 or early 1989 - at any rate, prior to the time that Thompson acquired the assets on March 29, 1989.

Mr. Rowe further indicated that by the time Thompson acquired the business in 1989, the demand for production from the Madison plant was limited to automobile wheel covers, the volume of business at the plant was substantially reduced, and the increasing move of the auto industry from chrome plated or stainless steel wheel covers and trim to plastic components had further changed the nature of the business.

When Thompson acquired the business, it significantly rebuilt the wheel cover portion of the business, but it was a very different type of business because of the continuing trend to the use of the plastic wheel ornamentation. In addition, Mr. Rowe said that a transaction was completed whereby the business of producing everything except wheel covers was traded to a competitor of Thompson's and, in return, Thompson acquired that company's wheel cover business. It was not clear from the telephone interviews with Mr. Rowe whether that major change in the business occurred near the end of the period of ITT operation or whether it occurred soon after Thompson acquired the assets in 1989.

The net result of all these changes in the business was that Madison simply ceased to be the right place to do business when the lease expired at the end of 1990. Indeed, as previously noted, throughout 1989 and 1990, Thompson was shipping presses and other major machinery out of the Madison plant to Holly Springs and Newberry. The documents, including memoranda and purchase orders for removal and transportation of equipment, are attached as Exhibit 1.

6. Q: Describe any operators who worked at the plant before Thompson or after Thompson and their activities at the facility. For each operator, indicate the waste stream generated and how it was handled.

- A: We are a bit confused by this question because it is not clear how the Agency has used the term "operator" and that term is not defined. It is not clear whether the term "operator" refers to specific employees who operated machinery or processes or whether it refers to companies which may have leased the plant and been "operators" in the sense of CERCLA/RCRA liability. We will attempt to address the question in both senses.

We have not been able to locate a list of employee job assignments, so we cannot identify individual employees who were operators of specific equipment or processes. We can tell you that James Rowe was the plant manager, as an employee of ITT, from 1973 to 1984. In 1984, Mr. Rowe suffered some health problems and was forced to go on a disability leave. He never returned to duty with ITT. In 1989 Mr. Rowe was one of the organizers of Thompson and served as a vice president of Thompson. In that capacity, he had authority over operations at the Madison plant from March 29, 1989 until it was vacated in early 1991. During that time, however, Mr. Rowe was not physically located at the plant.

Mr. Rowe advises that during the period when Thompson operated the plant, from March 29, 1989, until it was shut down, the plant manager was an individual named Al Gage. Mr. Gage transferred to the Holly Springs plant when Madison was shut down and subsequently left the company. His whereabouts are not presently known. During the time that Thompson operated the plant, Al Murphy was the plant engineer. Mr. Rowe indicated that he understands that Mr. Murphy is now retired, but his whereabouts are unknown.

Based upon the records which we reviewed, it appeared that, for the last several years that ITT operated the plant and during the period that Thompson operated it, Edwin B. Barefoot was the person most involved in environmental matters, including waste disposal. Mr. Rowe confirmed that Mr. Barefoot was the environmental coordinator for the plant. We have attempted to contact Mr. Barefoot by telephone but have been unsuccessful thus far. Mr. Barefoot's address and telephone number are:

Edwin B. Barefoot  
1446 Foxcroft LP  
Columbus, GA 31904  
Telephone: (706) 323-5174

As noted above, ITT was the operator of the plant prior to Thompson. We do not have information concerning the operations at this site after Thompson vacated in early 1991.

7. Q: Provide a complete list, including quantities, of all chemicals and chemical compounds used, stored, treated during Thompson's tenure at the site. Provide a description of all chemical processes used at the site. Include a detailed description of any processes that may have or did generate hazardous wastes or hazardous substances and what those wastes and substances were.

A: The only processes employed by Thompson during its operation of the site were stamping and polishing of automobile wheel covers and gluing manufacturer's emblems onto the wheel covers. Mr. Rowe advised that, increasingly, during this 1989-1991 period, the wheel covers were plastic and that, by the end of that time, very few metal wheel covers were being processed. The plastic wheel covers were produced at other plants, so very little production was left at Madison.

Mr. Rowe reported that the only substance used in the stamping operation was a drawing compound. He recalls that it was supplied by Houghton, but does not remember anything further about the material.

The main operation at the plant during Thompson's tenure was polishing wheel covers. This was done using a buffing wheel. The buffing compound, which was applied to the cloth wheels, was animal fat with a small amount of sand as an abrasive; occasionally, a small amount of aluminum oxide would also be added to the sand and animal fat mixture. There was no buffing compound waste generated, as such. The cloth covers on the buffing wheels would wear away as a cloth dust on the floor. Mr. Rowe assumes that some residue of the animal fat buffing mixture would have adhered to the cloth dust. The dust was swept up and disposed with general domestic trash in the dumpster.

Mr. Rowe indicates that adhesive was used to attach manufacturer emblems to wheel covers. Suppliers which had their emblems glued onto the wheel covers during the 1989-1991 period included Ford, General Motors, Chrysler, and Volkswagen. Mr. Rowe said that the manufacturer would supply the emblems and specify the particular adhesive which was to be used. He said that there was no waste generated from the gluing process.

Mr. Rowe said that the plant generated no hazardous waste during the period that it was operated by Thompson.

We interpret this question to request MVC to provide any information and documents which it has concerning chemical processes used, and waste generated, at the site prior to the time that Thompson acquired the assets. Since certain records from the period of operation by ITT were left at the site and included in those file documents in MVC's possession, we will also provide what information our investigation has provided responsive to this question for the period in which ITT operated the plant.

Located in the records was an extensive library of MSDSs. Unfortunately, the MSDSs were filed alphabetically, without an indication of the period of time the substance was used or the process in which it was employed. Obviously, therefore, the MSDSs may be of limited use; nevertheless, we have included all MSDSs located from the files of the Madison plant as Exhibit 2 to this response.

We also discovered in the files waste shipping manifests for the period 1982 through 1991. This would represent the last 7.25 years of ITT operation and the period of Thompson operation.

Ms. Shaw has tabulated the quantities reported on the various shipping manifests and has prepared a summary of quantities of various types of materials shipped during each year. For the year 1989, she has provided separate totals for the January to March period, during which ITT was the plant operator, and the April to December period, when Thompson was the operator. Ms. Shaw's summary is attached as Exhibit 3. Copies of the waste shipping manifests are attached as Exhibit 4.

As you can see from a review of Ms. Shaw's summary, the total volume of waste manifested from the Madison plant during the years 1985 through 1988 was significantly higher than that manifested from the plant during the period of operation by Thompson. This is consistent with Mr. Rowe's explanation of the operations during the period that Thompson operated the plant. It is possible that the volume of material shipped from the plant by Thompson in the April to December, 1989, period may well have included large quantities of waste left at the plant from the ITT period of operation. This possibility is particularly supported by the observations of various plant inspections (discussed below) noting the practice of accumulating large quantities of unlabeled drums of waste at the plant during the period of ITT operation.

We do not know the source of the waste naphtha manifested from the plant during the Thompson period. It is hoped that Mr. Barefoot may be able to shed some light on this if and when we are able to contact him.

Mr. Rowe has described processes that generated hazardous waste at the plant during the period 1973-1984 and, in one case, prior to his arrival in 1973. The latter process was degreasing using TCE. Mr. Rowe indicated that the use of TCE as a degreaser had been discontinued prior to the time that he became plant manager in 1973. He advised that during his period as plant manager parts were degreased using a non-chlorinated substance supplied by Houghton, but he could not recall any further details of that substance.

Mr. Rowe indicated that the plant engaged in chrome plating until 1974, at which time that process was discontinued and the plating equipment was removed. He does not recall the details of the removal or disposal of the plating equipment.

After 1974, Mr. Rowe indicated that the plant engaged in stamping and machining of stainless steel wheel covers, but that chrome plating was done at a different facility and the wheel covers shipped to Madison for buffing. He indicated that wheel covers, possibly moldings, and other parts were painted at the facility during his period as plant manager, but that the painting operation had been shut down prior to Thompson's

acquisition of the asset in 1989. He believes that the painting operation was discontinued at Madison in late 1988 or early 1989. Mr. Barefoot may be able to confirm this if we are able to contact him.

Mr. Rowe advised that, prior to 1973, TCE had been used to clean the paint masks, but during his period as plant manager they were cleaned with lacquer thinner. He was unable to provide any further detail concerning the lacquer thinner.

MVC is attempting to locate yearly production information and bills of materials from which it might be possible, through the use of a mass balance calculation, to project the approximate amounts of specific materials used, and wastes generated, for at least some years in the 1980's and 1990. To date, it has not been able to do this and one must recognize that it is an extremely ambitious undertaking, the success of which cannot be guaranteed. At this point, we simply have no basis for estimating total quantities of substances used at the site and we have located no records providing us with that information.

8. Q: During the course of Thompson's operations at the facility in Madison, were there any advertisement brochures generated or supply lists or product lists created? Please provide copies of both or any documents that might fit these general purposes.

A: To our knowledge there were none, nor have we located any such documents, in either draft or final form, in the files. It must be borne in mind that Thompson was selling to a very limited market - automobile manufacturers - and Mr. Rowe advises that much of Thompson's success in rebuilding the business and increasing sales resulted from the personal contacts of Thompson's corporate managers with individuals in the auto industry responsible for purchasing such parts.

9. Q: Provide a detailed description of the waste streams at the Madison plant including what chemicals were treated or disposed of, where and how the chemicals were treated or disposed of, and where the waste streams went inside the plant and outside the plant. Include a description of how different wastes were handled and who might have handled them.



Describe the care you exercised with respect to the hazardous materials at the site.

- A: Our investigation disclosed no plant layouts, process descriptions, or piping diagrams; consequently, the only information our investigation has been able to locate to date is that provided by Mr. Rowe in his telephone interviews with Messrs. Lewandowski and Shumate and brief summaries of operations in plant inspection reports which are attached as exhibits.

As previously noted, Mr. Rowe reported that the only process waste generated by Thompson at the plant was cloth material worn off of the buffing wheels, possibly with some of the animal fat buffing compound adhering to the cloth dust. Also as noted above, Mr. Rowe advised that this was swept up and co-disposed with domestic trash in the dumpster.

Mr. Rowe reported that during the period when ITT operated the plant TCE waste streams had been recycled in an on-site still. The recovered solvent was reused. Mr. Rowe did not know how the still bottoms were disposed. He had the TCE stills removed in 1974 after he became plant manager. He does not recall the details of the disposal of the stills.

During Mr. Rowe's period as ITT's plant manager, from 1973 to 1984, the non-chlorinated solvent which was used at the plant was stored in above ground tanks outside the building. The solvent was piped into the building and used solvent was piped back out into a waste solvent tank adjacent to the clean solvent storage tanks. The tanks were located outside the building, adjacent to the southwest corner of the building, and between the building and the small pond and marsh area southwest of the plant. The tanks were located within a containment structure. Mr. Rowe indicated that the solvent supplier removed the used solvent. His understanding was that the supplier recycled it. He believes that the supplier was a company named McQueen and thinks that it was located in Atlanta. He is not certain of the name and location, however. The tanks were removed and sold for scrap after Thompson took over the plant. Mr. Rowe said that the tanks were clean and that there was no need to dispose of tank bottoms when they were removed.

Some more information concerning plant processes and waste streams at the plant may be provided by Contamination Assessment Reports prepared for ITT by Bryson Industrial Services in 1987. Copies of those reports are attached as Exhibit 5.

We also attach the other inspection reports located in our investigation. These may also provide some information concerning processes, waste streams, and waste management. These include a December, 1984 inspection report by Wapora, Inc., which is attached as Exhibit 6; report of a January, 1984 inspection by the Florida Department of Environmental Regulation (DER) (which is attached to a Notice of Violation), attached as Exhibit 7; report of a July, 1984 DER inspection report, which is attached as Exhibit 8; and copy of an October 1985 DER inspection report, which is attached as Exhibit 9.

10. Q: Provide a list of employees and managers who worked at the Madison plant during any of Thompson's time there. Identify all persons, including respondent's employees, who have knowledge, information or documents about the generation, use, purchase, treatment, storage, disposal or other handling of materials at, or transportation of materials to the site.

A: As noted above, James Rowe was the Thompson vice president to whom the Madison plant manager reported. Mr. Rowe has been interviewed by telephone, provided extensive information, and that information is reported in this response.

Al Gage was the plant manager. His present whereabouts are unknown.

Al Murphy was the plant engineer. His present whereabouts are unknown.

Edwin B. Barefoot was the plant environmental coordinator. His address and telephone number are reported above. We have attempted to contact Mr. Barefoot by telephone but have not been successful thus far. We intend to continue to try to contact him and will file a supplemental response should we be successful in interviewing Mr. Barefoot and obtain any additional information.

11. Q: Describe the physical characteristics of the site, including but not limited to, the following:
- a. groundwater wells, including drilling logs.
  - b. past and present stormwater drainage system, sanitary sewer system, including septic tank(s) and subsurface disposal field(s).

A: The only soil or water samples discovered in our investigation were those reported in the Bryson reports (Exhibit 5).

As noted above, our investigation did not locate any detailed plant layouts and piping diagrams, but the Bryson reports (Exhibit 5) and the Wapora report (Exhibit 6) provide limited information concerning site drainage. In particular, the Wapora report, at page 4, has a brief discussion of site stormwater drainage patterns. It noted that there were two discharges of wastewater to the adjacent pond (which it described as a sink hole lake) which were identified during its inspection. One was described as an intermittent stormwater discharge in the vicinity of the loading dock.

The Madison plant discharged to the Madison city sewer system. Apparently, liquid waste materials were disposed to the sanitary sewer. This conclusion is drawn from the statement on page 4 of the Wapora report that caustic wastewater was being considered for discharge to the Madison STP, provided that the facility could handle the hydraulic load. Also in that paragraph there is the suggestion that rinsewater discharge might be controlled by disposal to the sanitary sewer. When interviewed, Mr. Rowe did not recall exactly what was discharged to the sanitary sewer or what alternate means may have been employed for disposal of waste liquids. Our investigation produced no evidence of site septic tank(s) or subsurface disposal field(s) and Mr. Rowe indicated that there were no underground installations in use at the facility during the periods about which he had knowledge, 1973-1984 and 1989-1991.

12. Q: Provide all existing technical or analytical information about the site, including but not limited to, data and documents related to soil, water (ground and surface), geology, geohydrology, or air quality on and about the site.

A: Our investigation yielded very little information on these subjects. It was limited to the information contained in the Bryson reports (Exhibit 5.)

We understand that there was extensive investigation by DER in the vicinity of the near-by Madison County Landfill prior to ITT's entering into a Consent Order concerning that landfill. We presume that reports of those studies are available from DER and presumably would provide information concerning regional geology and hydrogeology. We found no evidence of any attempt having been made to correlate the geology or hydrogeology of the site to any information developed in any of those studies.

We did find a file containing miscellaneous air quality information concerning the site. We believe this is of little value to the Agency's present investigation, but we are attaching it as Exhibit 10 for the purpose of full disclosure.

13. Q: Describe all leaks, spills or releases or threats of releases of any kind into the environment of any hazardous materials that have occurred or may occur at or from the site, including but not limited to:
- a. When such releases occurred or may occur.
  - b. How the releases occurred or may occur.
  - c. What hazardous materials were released or may be released.
  - d. What amount of each such hazardous material was so released.
  - e. Where such releases occurred or may occur.
  - f. Any and all activities undertaken in response to each such release or threatened release.
  - g. Any and all investigations of the circumstances, nature, extent, or location of each such release or threatened release including the results of any soil, water (ground or surface), or air testing that was undertaken.
  - h. All persons with information relating to subparts a-g of this question.

A: a. We have very little information to document that any releases actually did occur and when such releases may have occurred.

Essentially, our information is limited to anecdotal evidence provided by Mr. Rowe and certain observations in the Wapora report (Exhibit 6) and the report of the 1985 DER inspection (Exhibit 9.).

Mr. Rowe told Mr. Shumate in a telephone interview that, when he first arrived at the plant as ITT's manager in 1973, one could stand at the edge of the pond adjacent to the plant on a clear, sunny day and see to the bottom of the pond. Mr. Rowe reported that on such occasions one could clearly see drums on the bottom of the pond. Mr. Rowe said that he did not know how, when, or by whom the drums were placed in the pond and he did not know what the drums contained, if anything. We note that the Bryson reports (Exhibit 5) tend to indicate that there was no significant contamination of the pond water at the time of the field investigations upon which those reports are based.

Mr. Rowe reported that during his time as plant manager there were spills from process equipment from time to time. He said that originally the spills were cleaned up by soaking up the spilled materials with oil dry, sweeping it up, and (he thinks) disposing it in the dumpster. He said that the use of the absorbent material to clean up spills was discontinued because the crew was careless in throwing the oil dry material around, with the result that it got into the machinery. When the use of oil dry material was discontinued, Mr. Rowe said, the plant went to a mop and bucket method of cleaning up spills. He did not know or recall how the material recovered in the buckets was disposed.

The Wapora report, at page 3, notes observations suggesting that there had been leaks of material into the containment diked area around the outside solvent storage tanks and that liquids had seeped through the dike joints. The report suggested that these seeps would have reached the adjacent pond. There is no indication when such leaks and subsequent seepage may have occurred, but it must have been prior to the Wapora inspection visit on December 11, 1984.

McKechnie Vehicle Components (USA), Inc.  
February 18, 1999  
Page 22

possession, custody or control, then identify the persons from whom such information or documents may be obtained.

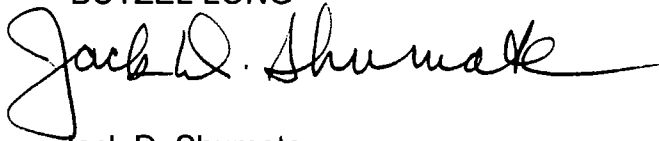
A: We are not aware of any such persons or documents.

Certain facets of the investigation are ongoing. In the event that MVC or Butzel Long, on behalf of MVC, locates further information responsive to this request, we will file a supplemental response on behalf of our client.

If you have any questions concerning the foregoing or the attached exhibits or if I may be of further assistance, please feel free to contact me.

Very truly yours,

BUTZEL LONG

A handwritten signature in black ink, appearing to read "Jack D. Shumate", written over the typed name.

Jack D. Shumate

Counsel to McKechnie Vehicle Components (USA), Inc.

JDS/rae

Enclosures